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May 17, 2018

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Wireline Infrastructure, WC Docket No. 17-84

On May 15, 2018, Steve Morris of NCTA – The Internet & Television Association (NCTA), David Don and Jordan Goldstein of Comcast, Christianna Barnhart of Charter Communications, Jennifer Prime of Cox Enterprises, and Paul Glist of Davis Wright Tremaine, on behalf of NCTA, met with Daniel Kahn, Adam Copeland and Deborah Salons of the Wireline Competition Bureau and Martha Heller, Holly Saurer, Kathy Berthot, and Brendan Murray (by phone) of the Media Bureau to discuss issues regarding the burdens associated with obtaining access to public rights-of-way that were raised in the above-referenced proceeding.¹

In the meeting we explained that cable operators typically obtain access to public rights-of-way for the deployment of facilities through cable franchises issued pursuant to Section 621 of the Communications Act. As an industry we pay roughly \$3 billion annually in franchise fees to state and local governments. Cable operators also pay permit fees to local governments and pole attachment fees to pole owners in connection with the deployment and operation of their network facilities.

We explained that in many instances cable operators are not being accorded their full rights of access to public rights-of-way authorized under Title VI, and that many franchising authorities are seeking to impose additional requirements for authorizations and fees that impede the deployment of new broadband facilities by cable operators. For example, we explained that in some places cable operators are being asked to pay duplicative franchise fees or obtain unnecessary additional authorizations. We also explained that some cable operators are being deprived of their ability to deploy facilities in utility easements.

¹ *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, WC Docket No. 17-84, Notice of Proposed Rulemaking, Notice of Inquiry, and Request for Comment, 32 FCC Rcd 3266 (2017) (*Notice*).

Ms. Marlene H. Dortch

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Accordingly, we asked the Commission to streamline the regulatory burdens that arise under Title VI cable franchises and clarify the full scope of cable operator rights under those franchises so that cable operators can help achieve Chairman Pai's goals of closing the digital divide and leading the world in 5G wireless service. We explained that the Commission has legal authority to address these issues under various provisions of Title VI and Section 253 of the Act and encouraged the Commission to do so expeditiously.²

Respectfully submitted,

/s/ Steven F. Morris

Steven F. Morris

cc: D. Kahn
A. Copeland
D. Salons
M. Heller
H. Saurer
K. Berthot
B. Murray

² See NCTA Comments, WC Docket No. 17-84 (filed June 15, 2017) at 23-31; *see also* Letter from Rick Chessen, NCTA, to Marlene H. Dortch, Secretary, Federal Communications Commission, MB Docket No. 05-311 (filed May 3, 2018).